



09-30-02

28/2

Filed Via Express Mail pursuant to 37 C.F.R. 1.10

Rec. No.: EV 096 421 210 US

On: SEPTEMBER 27, 2002

By: *[Signature]*

LINO E. HASTINGS

Any fee due as a result of this paper, not covered by an enclosed check, may be charged on Deposit Acct. No. 50-1290.

Attorney Docket No.: NECW 18.281

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
OCT -2 2002  
TECHNOLOGY CENTER 2800

Inventor: Toru TATSUMI et al.

Serial No.: 09/744,701

Filed: January 29, 2001

Title: **METHOD OF VAPOR PHASE GROWTH OF METAL OXIDE  
DIELECTRIC FILM AND APPARATUS FOR VAPOR PHASE  
GROWTH OF METAL DIELECTRIC MATERIAL**

Examiner: H. Jey Tsai

Group Art Unit: 2812

Assistant Commissioner for Patents  
Washington, D.C. 20231

ELECTION

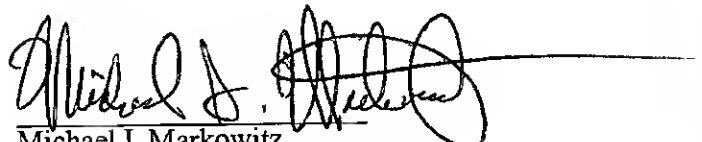
S I R :

In response to the Office Action mailed on August 27, 2002, the period for responding thereto having been set to expire after September 27, 2002, Applicant hereby elects the first species of a vapor phase growth method for forming metal oxide dielectric film, for prosecution at this time.

Claims 47-90 are readable on the first species. Claims 47-90 are clearly directed to the vapor phase growth method for forming metal oxide dielectric film. Claims 91-94 are also related to the elected species because the method of claims 91-94 uses the vapor phase growth method of the elected species as one of the steps of forming a semiconductor device. Applicant reserves the right to file continuing application(s) based on the second species of forming a capacitor, if the Examiner makes the Election Requirement to which this Election is responsive, final. Early examination on the merits is earnestly solicited.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account 50-1290.

Respectfully submitted,

  
Michael I. Markowitz  
Reg. No. 30,659

KATTEN MUCHIN ZAVIS ROSENMAN  
575 MADISON AVENUE  
NEW YORK, NEW YORK 10022  
(212) 940-8687  
DOCKET NO.: NECW 18.281  
MIM:lh:NECW18281-2  
CUSTOMER NO.: 026304